

REMARKS

This Amendment is being filed in response to the Office Action dated October 27, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-16 are pending in the Application. Claims 11-16 are added by this amendment.

Claims 1-10 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,888,944 to Lotspiech ("'944") with incorporated by reference U.S. Patent No. 6,118,873 to Lotspiech ("'873"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-16 are allowable over '944 alone and together with incorporated by reference '873 for at least the following reasons.

While '944 does disclose a method for assigning encryption keys for, for example, to enable authorized player-recorders to play and/or copy encrypted music videos and other content, it is respectfully submitted that '944 is otherwise little related to the presently claimed method, etc. '944 utilizes a generating matrix G and an indication of a last generated set of keys to enable future

key generation/regeneration (see, '944, Col. 4, lines 49-52, cited in the Office Action). To that end, the method includes receiving parameters representing characteristics (such as the number of rows and columns) of the key matrix, and, using the parameters and an error-correcting code. '994 teaches that the error correcting code is a non-random function that generates plural sets of keys with a prescribed Hamming distance between every two sets of keys (see, '944, col. 2, lines 24-33). The Office Action has interpreted the error correcting code of '944 as corresponding to the delta-contracting function of the present application, however, it is respectfully submitted that this position is not supportable in that the error-correcting code of '944 has little if anything to do with the claims as presented.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of '944 alone and together with incorporated by reference '873. For example, '944 alone and together with incorporated by reference '873 does not disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis added) "granting the access based on an application of a delta-contracting function to

the cryptographic data and the helper data based on an output value, wherein the helper data defines ranges of values for the cryptographic data and the delta-contracting function defines a corresponding output value for each range of values for the cryptographic data" as recited in claim 1, and as similarly recited in each of claims 8 and 9.

Based on the foregoing, the Applicant respectfully submits that independent claims 1, 8 and 9 are patentable over '944 alone and together with incorporated by reference '873 and notice to this effect is earnestly solicited. Claims 2-7 and 11-16 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position,

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should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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